

**HON'BLE THE CHIEF JUSTICE SRI KALYAN JYOTI SENGUPTA
AND
HON'BLE SRI JUSTICE SANJAY KUMAR**

W.A.Nos.2000, 2008, 2009, 2010 and 2024 of 2013

Date: 31.12.2013

W.A.No.2000 of 2013

Between:

The South Central Railways,
represented by its General Manager,
Rail Nilayam, Secunderabad and others

.....Appellants

AND

M/s RSV Constrictions Private Limited
represented by its Managing Partner,
Atluri Radha Krishna, Hyderabad,
and another

.

...Respondents

W.A.No.2008 of 2013

Between:

The South Central Railways,
represented by its General Manager,
Rail Nilayam, Secunderabad and others

.....Appellants

AND

C.Suresh Reddy and Co.,
represented by its Managing Partner,
C.Sailaja and another

...Respondents

W.A.No.2009 of 2013

Between:

The South Central Railways,

represented by its General Manager,
Rail Nilayam, Secunderabad and others

.....Appellants

AND

M/s Kommidi Constructions,
represented by its Proprietor,
K.Malla Reddy and another

...Respondents

W.A.No.2010 of 2013

Between:

The South Central Railways,
represented by its General Manager,
Rail Nilayam, Secunderabad and others

.....Appellants

AND

D.Seshaiah and another

...Respondents

W.A.No.2024 of 2013

Between:

The South Central Railways,
represented by its General Manager,
Rail Nilayam, Secunderabad and others

.....Appellants

AND

C.Suresh Reddy and Co., and another

...Respondents

**HON'BLE THE CHIEF JUSTICE SRI KALYAN JYOTI SENGUPTA
AND
HON'BLE SRI JUSTICE SANJAY KUMAR**

W.A.Nos.2000, 2008, 2009, 2010 and 2024 of 2013

COMMON JUDGMENT: (per Hon'ble the Chief Justice Sri Kalyan Jyoti Sengupta)

All these matters are identical in nature and identical orders have been passed and therefore for convenience sake, we dispose of these appeals by a common judgment and order.

It appears, the learned single Judge has disposed of the matters on concession made by the learned Counsel for the parties that the subject matter of the writ petitions are covered by the judgment of the Court in W.P.No.11269 of 2009 and batch dated 22.10.2009. Before us, the learned Counsel for the appellants says that those judgments are not applicable in this case as in those writ petitions the appellants herein are not parties. Whether it is applicable or not is question of fact. When a concession was made before the learned single Judge on fact, it is difficult for this Court to entertain the appeals. Therefore, it will be open for the appellants to approach the learned single Judge by filing appropriate proceedings that the concession could not be made as the judgments have no manner of application. When such proceedings are brought, the same will be decided by the learned single Judge in accordance with law.

Accordingly, all these writ appeals are dismissed, however, with liberty as aforesaid. Miscellaneous petitions pending, if any, shall also stand closed. No order as to costs.

K.J. SENGUPTA, CJ

**SANJAY KUMAR,
J**

31.12.2013
Gsn